
Ways & Means Committee

HB 3198

Brief Description: Containing costs for services to sexually violent predators.

Sponsors: Representatives Ericks and Linville.

Brief Summary of Bill

- Directs the Department of Social and Health Services to adopt rules related to the reimbursement rates for evaluations.

Hearing Date: 3/8/10

Staff: Melissa Palmer (786-7388).

Background:

Under the Community Protection Act of 1990, a sexually violent predator may be civilly committed upon the expiration of that person's criminal sentence. A sexually violent predator (SVP) is a person who has been convicted of or charged with a sexually violent offense and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory acts of sexual violence if not confined to a secure facility. Crimes that constitute a sexually violent offense are enumerated in the statute and may include a federal or out-of-state offense if the crime would be a sexually violent offense under the laws of this state. The term predatory is defined to mean acts directed towards strangers or individuals with whom a relationship has been established for the primary purpose of victimization.

When a prosecuting agency has filed a petition against a person alleging that the person is an SVP or when the person has previously been found to be an SVP and is subject to a hearing for conditional release, the person is entitled to be examined by qualified experts or professional persons. If the person is indigent, the court must assist the person in obtaining an expert or professional person to perform an examination.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Once a person is found to be an SVP, the person is entitled to periodic hearings to determine if the person continues to meet the definition of an SVP or release to a less restrictive alternative is appropriate. A state-endorsed plan for a less restrictive alternative will be a graduated release plan that entails the SVP moving to a Secure Community Transition Facility (SCTF). A SCTF is a facility that provides greater freedom to the SVP and is designed to allow the SVP to gradually transition back to the community while continuing treatment.

Summary of Bill:

The DSHS must adopt rules related to the reimbursement of costs related to evaluations by experts.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.